

EXHIBIT D

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

In Re: Bard IVC Filters) MD-15-02641-PHX-DGC
Products Liability Litigation)
) Phoenix, Arizona
) October 4, 2018
)

BEFORE: THE HONORABLE DAVID G. CAMPBELL, JUDGE

REPORTER'S TRANSCRIPT OF PROCEEDINGS

CASE MANAGEMENT CONFERENCE

Official Court Reporter:
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Proceedings Reported by Stenographic Court Reporter
Transcript Prepared with Computer-Aided Transcription

1 THE COURT: Read the next sentence.

2 MR. LOPEZ: "The Court will decide the order of the
3 trials" -- Okay.

4 THE COURT: I think that was left open.

5 MR. LOPEZ: And we should discuss it because when --
6 you gave a scheduling order for the Tinlin case.

7 So we've tried a G2 case, we've tried an Eclipse
8 case, and we've tried maybe a G2 -- well, we certainly tried
9 a G2X case. Whether or not that's where that comes out on a
10 product ID issue, we're still waiting for that.

11 We need to try a Recovery case.

12 I know counsel will be quick to point out that the
13 Recovery cases only make up about 11 percent of the docket,
14 but from a global perspective, historically from what's
15 happened in the past cases and just looking at the evidence
16 and the injuries that happened with the Recovery, and,
17 frankly, the potential for the plaintiff, and I don't want
18 anyone to quote me on this because people that are trying to
19 settle G2X and G2 and Eclipse cases are going to say why did
20 you say it, but I'm going to say it. 11 percent of the cases
21 are probably 50 percent of the value the global litigation.
22 I mean, the Recovery cases simply have more value for a
23 number of reasons. Mainly because of the liability case,
24 potential for punitives and, frankly, the damages that are
25 caused by the Recovery.